

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY, DECEMBER 8TH, 2004
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
ROGER KRZEMINSKI
NANCY NEVERS

ABSENT: NONE

Also in attendance: Jerome R. Schmeiser, Community Planning Consultant
Larry Dloski, Township Attorney
David Lakin, Township Engineer of Spalding DeDecker
Associates. (Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

1. Roll Call

Clerk KOEHS called the roll. All members present.

2. Approval of Agenda Items (with any corrections)

MOTION by DUNN seconded by BUCCI to approve the agenda as amended.

MOTION carried.

3. Approval of the Bills

MOTION by KRZEMINSKI seconded by MALBURG to approve the bill runs as submitted.

MOTION carried.

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4. Approval of the November 22, 2004 previous Meeting Minutes

MOTION by DUNN seconded by MALBURG to approve the revised November 22, 2004 meeting minutes as amended.

MOTION carried.

5. CONSENT AGENDA ITEMS:

5A. Clerks Department:

1. Approve Release of Wall Sign Bond; Mango Grove Asian Food Market; Permanent Parcel No. 08-31-331-002
2. Approve Release of Wall Sign Bond; Macomb Family Medical Center; Permanent Parcel No. 08-17-100-027
3. Approve Release of Wall Sign Bond; Designer Hand Salon Permanent Parcel No. 08-05-100-029
4. Approve Release of Garfield Paving Bond; Westcreek Estates; Permanent Parcel No. 18-18-279-039 & 040
5. Approve Release Wall Sign Bond; Contours Express; Permanent Parcel No. 08-17-476-005

MOTION by KOEHS seconded by DUNN to approve the consent agenda items as submitted.

MOTION carried.

6. Public Comments (Non Agenda items only - 3 minute time limit) None

PUBLIC HEARING:

7. **Adopt Resolution No. 2; Gloede Park Estates Subdivision; Special Assessment District; Stormceptor Structures;** John Cavaliere, petitioner.
Section 30.

Supervisor BRENNAN reviewed the request.

Supervisor BRENNAN opened the public hearing at 7:04 P.M.

Petitioner: Not present

Public Portion: None

MOTION by BUCCI seconded by KRZEMINSKI to close the public hearing at 7:04 p.m.

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MOTION carried.

MOTION by DUNN seconded by KRZEMINSKI to Adopt Resolution No. 2; Gloede Park Estates Subdivision; Special Assessment District; Stormceptor Structures; Section 30 as follows:

FOR THIS MOTION: DUNN, KRZEMINSKI, MALBURG, BUCCI, NEVERS, KOEHS, BRENNAN.

OPPOSED: NONE

ABSENT: NONE

RESOLUTION NO. 2 Gloede Park Subdivision

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on December 8, 2004, at 7:00 o'clock P.M., Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski and Nancy Nevers.

ABSENT: None

The following preamble and resolution were offered by Member DUNN and supported by Member KRZEMINSKI.

WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated November 10, 2004, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating stormceptor structures described in Exhibit "A" attached hereto (the "Structures"); and

WHEREAS, pursuant to Section 192a(2) and 192a(5) of Act 288, P.A. 196 as amended, (the "Act"), proper notice having been given, a hearing was held on November 10, 2004, on creation and maintaining the stormceptor structures, including but not limited to the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the stormceptor structures by special assessment was approved; and

WHEREAS, the Special Assessment District consists of proposed Lots 1 through 59, inclusive, Gloede Park Subdivision (the "Plat"), as approved by the

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Township, located on a portion of the land described in Exhibit "A" attached thereto; and

WHEREAS, Lots 1 through 59, inclusive, within the Plat are benefited by the stormceptor structures; and

WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the stormceptor structures, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD
OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

1. That the Special Assessment District created by resolution on November 10, 2004, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit "A" attached to this Resolution and made a part hereof.

2. The Association of Lot Owners are responsible for the maintenance of the stormceptor structure.

3. That the authority to defray the cost of operating and maintaining the stormceptor structures by special assessment on the property benefited thereby as adopted by the Township by resolution on November 10, 2004, and approved at public hearing on December 8, 2004 is confirmed.

4. That in the event the Township has or intends to expend funds for the maintenance and operation of said structures, the Township shall prepare a special assessment roll, determine the annual cost of the operation and maintenance of the stormceptor structures, establish an annual special assessment levy, and prepare a plan to spread the assessment levy of each lot within the Special Assessment District be equal to the annual cost of the operation and maintenance of the stormceptor structures multiplied by a fraction, the numerator of which is one (1) and the denominator of which fifty nine (59) is the total number of lots in the Special Assessment District, together with all lots contained within Gloede Park Subdivision covered by this Special Assessment District.

5. That after the determination of the annual cost of the operation and maintenance of the stormceptor structures, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.

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6. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect, or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

AYES: DUNN, KRZEMINSKI, MALBURG, BUCCI, NEVERS, KOEHS,
BRENNAN

NAYS: NONE

ABSENT: NONE

Michael D. Koehs, CMC
Macomb Township Clerk

RESOLUTION DECLARED ADOPTED.

8. **Adopt Resolution No. 2; Parkview Estates Subdivision; Special Assessment District; Detention Basin;** GTR Builders, petitioner.
Section 23

Supervisor BRENNAN reviewed the request.

Petitioner Present: Chris Cousino

Supervisor BRENNAN opened the public hearing at 7:06 P.M.

Public Portion: None

MOTION by MALBURG seconded by KOEHS to close the public portion at 7:08 P.M.

MOTION carried.

MOTION by DUNN seconded by BUCCI to Adopt Resolution No. 2; Parkview Estates Subdivision; Special Assessment District; Detention Basin; Section 23 as follows:

FOR THIS MOTION: DUNN, BUCCI, NEVERS, KRZEMINSKI, MALBURG, KOEHS, BRENNAN.

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OPPOSED: NONE

ABSENT: NONE

RESOLUTION NO. 2 Parkview Estates Subdivision

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on December 8, 2004, at 7:00 o'clock P.M., Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski and Nancy Nevers.

ABSENT: None

The following preamble and resolution were offered by Member DUNN and supported by Member BUCCI.

WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated November 10, 2004, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating a sedimentation basin described in Exhibit "A" attached hereto (the "Basin"); and

WHEREAS, pursuant to Section 192a(2) and 192a(5) of Act 288, P.A. 196 as amended, (the "Act"), proper notice having been given, a hearing was held on December 8, 2004, on creation and maintaining the sediment basin, including but not limited to the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the retention basin by special assessment was approved; and

WHEREAS, the Special Assessment District consists of proposed Lots 1 through 24, inclusive, Parkview Estates Subdivision (the "Plat"), as approved by the Township, located on a portion of the land described in Exhibit "B" attached thereto; and

WHEREAS, Lots 1 through 24, inclusive, within the Plat are benefited by the sediment basin; and

WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the retention basins, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD
OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

1. That the Special Assessment District created by resolution on November 10, 2004, and approved at public hearing on December 8, 2004, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit "B" attached to this Resolution and made a part hereof.

2. That the authority to defray the cost of operating and maintaining the sediment basin by special assessment on the property benefited thereby as adopted by the Township by resolution on November 10, 2004, and approved at public hearing on December 8, 2004 is confirmed.

3. That in the event the Township has or intends to expend funds for the maintenance and operation of said sediment basin, the Township shall prepare a special assessment roll, determine the annual cost of the operation and maintenance of the sediment basin, establish an annual special assessment levy, and prepare a plan to spread the assessment levy of each lot within the Special Assessment District be equal to the annual cost of the operation and maintenance of the sediment basin, multiplied by a fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Special Assessment District, together with all lots contained within Parkview Estates Subdivision covered by this Special Assessment District.

4. That after the determination of the annual cost of the operation and maintenance of the sediment basin, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.

5. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect, or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

**AYES: DUNN, BUCCI, NEVERS, KRZEMINSKI, MALBURG, KOEHS,
BRENNAN**

NAYS: NONE

ABSENT: NONE

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Michael D. Koehs, CMC
Macomb Township Clerk

RESOLUTION DECLARED ADOPTED.

9. **Adopt Resolution No. 2; Brook Run South Subdivision; Special Assessment District; Sedimentation Basin;** GTR Builders, petitioner. Section 28

Supervisor BRENNAN reviewed the request.

Petitioner Present: Chris Cousino

Supervisor BRENNAN opened the public hearing at 7:09 P.M.

Public Portion: None

MOTION by KOEHS seconded by MALBURG to Adopt Resolution No. 2; Brook Run South Subdivision; Special Assessment District; Sedimentation Basin; Section 28 as follows:

FOR THIS MOTION: KOEHS, MALBURG, NEVERS, DUNN, BUCCI, KRZEMINSKI, BRENNAN.

OPPOSED: NONE

ABSENT: NONE

RESOLUTION NO. 2 Brook Run South Subdivision

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on December 8, 2004 at 7:00 o'clock P.M., Eastern Standard Time.

PRESENT: BRENNAN, KOEHS, MALBURG, BUCCI, DUNN, KRZEMINSKI, NEVERS

ABSENT: NONE

The following preamble and resolution were offered by Member KOEHS and supported by Member MALBURG

WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated November 10, 2004, establishing a Special Assessment District

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subject to a public hearing, for the purpose of maintaining and operating a sedimentation basin described in Exhibit "A" attached hereto (the "Basin"); and

WHEREAS, pursuant to Section 192a(2) and 192a(5) of Act 288, P.A. 196 as amended, (the "Act"), proper notice having been given, a hearing was held on November 8, 2004, on creation and maintaining the sedimentation basin, including but not limited to the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the detention basin, by special assessment was approved; and

WHEREAS, the Special Assessment District consists of proposed Lots 1 through 14, inclusive, Brook Run South Subdivision (the "Plat"), as approved by the Township, located on a portion of the land described in Exhibit "B" attached thereto; and

WHEREAS, Lots 1 through 14, inclusive, within the Plat are benefited by the sedimentation station; and

WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the retention basins, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD
OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

1. That the Special Assessment District created by resolution on November 10, 2004, and approved at a public hearing on December 8, 2004 is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit "B" attached to this Resolution and made a part hereof.

2. That the authority to defray the cost of operating and maintaining the sediment basin, by special assessment on the property benefited thereby as adopted by the Township by resolution on November 10, 2004, and approved at public hearing on December 8, 2004 is confirmed.

3. That in the event the Township has or intends to expend funds for the maintenance and operation of said sediment basin, the Township shall prepare a special assessment roll, determine the annual cost of the operation and maintenance of the sediment basin, establish an annual special assessment levy, and prepare a

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plan to spread the assessment levy of each lot within the Special Assessment District be equal to the annual cost of the operation and maintenance of the sediment basin multiplied by a fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Special Assessment District, together with all lots contained within Brook Run South Subdivision covered by this Special Assessment District.

4. That after the determination of the annual cost of the operation and maintenance of the sediment basin, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.

5. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect, or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

AYES: KOEHS, MALBURG, NEVERS, DUNN, BUCCI, KOEHS,
KRZEMINSKI, BRENNAN

NAYS: NONE

ABSENT: NONE

Michael D. Koehs, CMC
Macomb Township Clerk

RESOLUTION DECLARED ADOPTED.

PLANNING COMMISSION:

10. **Final Plat; Rocco Estates Subdivision No. 3 (9 lots);** Located on the north side of 21 Mile Road and 120' east of Rockwood Drive; Rocco Galati, Petitioner. Permanent Parcel No. 08-28-376-008 (*Tabled from the 11-22-04 TWP Meeting*)

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Nancy Kolinski
Public Portion: None

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MOTION by DUNN seconded by BUCCI to approve the Final Plat; Rocco Estates Subdivision No. 3 (9 lots) and direct Michael D. Koehs, Township Clerk to sign the mylar. Permanent Parcel No. 08-28-376-008

MOTION carried.

11. **Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1);** Located on the north side of 24 Mile Road approximately 1,200 feet east of Romeo Plank Road. Joe Locricchio, Petitioner. Permanent Parcel No. 08-08-400-018.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: David Meckl

Public Portion: None

MOTION by KRZEMINSKI seconded by BUCCI to approve the request to rezone the property from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-08-400-018

MOTION carried.

12. **Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1);** Located on the north side of 24 Mile Road approximately 1,200 feet east of Romeo Plank Road. Joe Locricchio, Petitioner. Permanent Parcel No. 08-08-400-019.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: David Meckl

Public Portion: None

MOTION by KRZEMINSKI seconded by MALBURG to approve the request to rezone the property from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-08-400-019

MOTION carried.

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13. **Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1);** Located at the end of Marseilles approximately 1600 feet north of 22 Mile Road. Thomas Becher, Petitioner. Permanent Parcel No. 08-21-326-001

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed agenda item numbers 13-14 and the recommendations for approval.

Petitioner Present: Roy Sera

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the request to rezone the property from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-21-326-001

MOTION carried.

14. **Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1);** Located at the end of Marseilles approximately 1600 feet north of 22 Mile Road. Thomas Becher, Petitioner. Permanent Parcel No. 08-21-376-001

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Roy Sera

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the request to rezone the property from Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-21-376-001

MOTION carried.

15. **Rezoning Request; Agricultural (AG) to Office High Rise (O-2);** Located on the south side of 23 Mile Road 490' west of Romeo Plank Road. St. John Health System, Petitioner. Permanent Parcel No. 08-20-200-031

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: David Hales

Public Portion: None

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MOTION by BUCCI seconded by KOEHS to approve the request to rezone the property from agricultural (AG) to Office High Rise (O-2); Permanent Parcel No. 08-20-200-031.

MOTION carried.

16. **Rezoning Request; Residential One Family Suburban (R-1-S) to Office High Rise (O-2);** Located on the west side of Romeo Plank Road 1,162.45 feet south of 23 Mile Road. St. John Health System, Petitioner. Permanent Parcel No. 08-20-200-011

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed agenda item numbers 16-17 and the recommendation to deny rezoning the properties to Office High Rise (O-2) zone. Mr. Schmeiser reviewed the Planning Commissions recommendation to consider rezoning the property to Office Low Rise (O-1).

The Members of the Board, Township Attorney and Community Planning Consultant discussed with the petitioner the plans for developing the properties. After due consideration, it was agreed to by the petitioner that the properties (*agenda item numbers 16-17*) could be developed in the current Residential One Family Suburban (R-1-S) zone.

Petitioner Present: David Hales requested to withdrawal the rezoning request.

Public Portion: Several Township residents opposed to the rezoning request addressed their concerns regarding the Office High Rise zone.

MOTION by KOEHS seconded by KRZEMINSKI to accept the petitioner's request to withdrawal the request to rezone the property from Residential One Family Suburban (R-1-S) to Office High Rise (O-2); Permanent Parcel No. 08-20-200-011.

MOTION carried.

17. **Rezoning Request; Residential One Family Suburban (R-1-S) to Office High Rise (O-2);** Located on the west side of Romeo Plank Road 1,333.76 feet south of 23 Mile Road. St. John Health System, Petitioner. Permanent Parcel No. 08-20-200-012

This item was reviewed simultaneously with agenda item number 16.

MOTION by KOEHS seconded by KRZEMINSKI to accept the petitioner's request to withdrawal the request to rezone the property from Residential One Family Suburban (R-1-S) to Office High Rise (O-2); Permanent Parcel No. 08-20-200-012

MOTION carried.

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NEW BUSINESS:

18. **Liquor License Transfer; Aspen Restaurant;** 20333 Hall Road.
Richard Walkowiak, Petitioner. Permanent Parcel No. 08-33-478-001

Supervisor BRENNAN reviewed the item and recommended approval.

Petitioner Present: Richard Walkowiak

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the Liquor License Transfer R & S Aspen, LLC to transfer ownership of 2004 12 months resort Class C Licensed Business (MCL 436.1531 (2) with dance-entertainment permit, located at 20333 Hall Road, Macomb Township, MI 48044, Macomb County, from Wilfred Inc. Subject to the Macomb Township Licensed Liquor Establishment Lewd Conduct Prohibition Form the resolution is as follows:

FOR THIS MOTION: DUNN, MALBURG, NEVERS, BUCCI, KRZEMINSKI, KOEHS, BRENNAN

OPPOSED: NONE

ABSENT: NONE

**STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LIQUOR CONTROL COMMISSION**

RESOLUTION

At a regular meeting of the Macomb Township Board of Trustees called to order by Supervisor John Brennan on December 8, 2004 at 7:00 p.m. the following resolution was offered:

Moved by Janet Dunn and supported by Marie Malburg

That the request from R&S ASPEN, LLC TO TRANSFER OWNERSHIP OF 2004 12 MONTHS RESORT CLASS C LICENSED BUSINESS (MCL 436.1531(2) WITH DANCE-ENTERTAINMENT PERMIT, LOCATED AT 20333 HALL,

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**MACOMB TOWNSHIP, MI 48044, MACOMB TOWNSHIP, MACOMB
COUNTY, FROM WILFRED, INC.**

be considered for approval

APPROVAL

**Yeas: DUNN, MALBURG, NEVERS,
BUCCI, KRZEMINSKI, KOEHS,
BRENNAN**

Nays: None

Absent: None

DISAPPROVAL

Yeas: None

Nays: None

Absent: None

**It is the consensus of this legislative body that the application be recommended for
issuance.**

STATE OF MICHIGAN

§

COUNTY OF MACOMB

**I hereby certify that the foregoing is a true and complete copy of a resolution
offered and adopted by the Macomb Township Board of Trustees at a regular
meeting held on December 8, 2004.**

(Signed) _____
**Michael D. Koehs, CMC
Macomb Township Clerk
54111 Broughton Road
Macomb, MI 48042**

SEAL

MOTION carried.

19. **Request for Township Engineer to perform Sanitary Sewer Diversion Study;
Stillwater Crossing Subdivision;** Harry Terbrueggen, Petitioner. Section13.

Supervisor BRENNAN reviewed the item and recommended approval subject to the
petitioner submitting the Four Thousand dollar and 00/100 (\$4,000.00) deposit with the
Township as required by the Township Engineers Spalding DeDecker Associates.

Petitioner: Not present

Public Portion: None

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MOTION by KRZEMINSKI seconded by MALBURG to authorize Spalding DeDecker Associates, Township Engineers to perform a sanitary sewer diversion study; Stillwater Crossing Subdivision; subject to the petitioner submitting the Four Thousand dollar and 00/100 (\$4,000.00) deposit with the Township as required by the Township Engineers Spalding DeDecker Associates. Section 13.

MOTION carried.

20. **Request authorization for the Township Attorney to defend** the case of Divito v Township of Macomb.

Supervisor BRENNAN reviewed the item and recommended approval.

Public Portion: None

MOTION by KOEHS seconded by MALBURG to authorize Larry Dloski, Township Attorney, to defend the case of Divito v Township of Macomb.

MOTION carried.

21. **Request to Schedule Public Hearing Date; January 12, 2005; Special Assessment District; Street Lighting; Harmony Acres Subdivision;** Located on the south side of 24 Mile Road, $\frac{3}{4}$ mile east of Romeo Plank Road. Joe VanHaverBeck, Petitioner. Permanent Parcel No. 08-16-200-014

Supervisor BRENNAN reviewed the item and recommended approval.

Public Portion: None

MOTION by BUCCI seconded by KRZEMINSKI to approve the request to schedule the public hearing date for January 12, 2005 special assessment district; street lighting; Harmony Acres Subdivision; Permanent Parcel No. 08-16-200-014.

MOTION carried.

HUMAN RESOURCE DEPARTMENT:

22. Request to Hire Paid-on-Call Fire Fighters

John Brogowicz, Human Resource Director, reviewed the request and recommendations.

Public Portion: None

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MOTION by KRZEMINSKI seconded by KOEHS to the follow the recommendation of John Brogowicz, Human Resource Director, and hire James Gallagher, Shaun Harrower, Anthony Hojnacki, Jr., Brian Johnson, Brain Klein, Jared Mento, David Lauinger, Brian Radyko, Keith Saari, Nicholas Slanda, Brian Studer, Dennis Wolfe and Brian Zajac Paid-on-Call Fire Fighters for the Township Fire Department. The selected candidates as mentioned have passed their pre-employment psychological and agility tests. Effective Date January 3, 2005.

MOTION carried.

23. Request to Initiate Recruitment Process for an Electrical Inspector

John Brogowicz, Human Resource Director, reviewed the request and recommendation.

Public Portion: None

MOTION by KOEHS seconded by DUNN to authorize John Brogowicz, Township Human Resource Director to initiate the recruitment process for an Electrical Inspector Position according to the Collective Bargaining Agreement with AFSCME Local 1103-C (Hourly Union).

MOTION carried.

24. Request to Promote Appraiser

John Brogowicz, Human Resource Director, reviewed the request and recommendation.

Public Portion: None

MOTION by DUNN seconded by KOEHS to follow the recommendation of John Brogowicz, Township Human Resource Directors and approve the request to promote Beverly Lockwood from Appraiser Aide to an Appraiser. Effective Date: Monday, December 13, 2004.

MOTION carried.

WATER & SEWER DEPARTMENT:

25. Approval of Purchase Requisitions:
A. Russ Milne Ford

David Koss, Water & Sewer Department Superintendent, reviewed the item.

Public Portion: None

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY, DECEMBER 8TH, 2004
AT 7:00 P.M.

MOTION by KOEHS seconded by MALBURG to approve the purchase requisition through Russ Milne Ford, Inc. for replacement transmission materials for Truck No. 118, 2001 Ford Utility Vehicle for the total cost of Three Thousand Seven Hundred Eight Nine dollars and 16/100 (\$3,789.16) as submitted.

MOTION carried.

BOARD COMMENTS:

26. Supervisor Comments:
A. Board Appointments

Supervisor BRENNAN reviewed the Board Appointments. Mr. BRENNAN noted that some of the terms will have staggered expiration dates.

PLANNING COMMISSION BOARD:

MOTION by BUCCI seconded by KRZEMINSKI to fill the vacancy for the term commencing December 8, 2004 through December 31, 2004 and appoint Charles Oliver as a Member of the Planning Commission Board to fill the three (3) year term from January 1, 2005 to expire December 31, 2007.

MOTION carried.

MOTION by MALBURG seconded by DUNN to reappoint Dean Ausilio as a Member of the Planning Commission Board for a three (3) year term effective from January 1, 2005 to expire December 31, 2007.

MOTION carried.

MOTION by KRZEMINSKI seconded by NEVERS to reappoint Clerk Michael Koehs as a Member of the Planning Commission Board for a three (3) year term effective January 1, 2005 to expire December 31, 2007.

MOTION carried.

MOTION by BUCCI seconded by KOEHS to appoint Deborah Zolnoski as a Member of the Planning Commission Board to fill a current vacancy, for a two (2) year term effective January 1, 2005 to expire December 31, 2006.

MOTION carried.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY, DECEMBER 8TH, 2004
AT 7:00 P.M.

BOARD OF REVIEW:

MOTION by KOEHS seconded by KRZEMINSKI to reappoint Dominic D. Geric as a Member of the Board of Review for a one (1) year term effective January 1, 2005 to expire December 31, 2005.

MOTION carried.

MOTION by KOEHS seconded by MALBURG to reappoint Jeffery English as a Member of the Board of Review for a one (1) year term effective January 1, 2005 to expire December 31, 2005.

MOTION carried.

MOTION by KOEHS seconded by MALBURG to reappoint Kathie Catanzaro as a Member of the Board of Review for a one (1) year term effective January 1, 2005 to expire December 31, 2005.

MOTION carried.

ZONING BOARD OF APPEALS:

MOTION by KRZEMINSKI seconded by DUNN to reappoint Brian Florence as a Member of the Zoning Board of Appeals for a three (3) year term effective January 1, 2005 to expire December 31, 2007.

MOTION carried.

MOTION by DUNN seconded by KRZEMINSKI to reappoint Edward Gallagher as a Member of the Zoning Board of Appeals for a three (3) year term effective January 1, 2005 to expire December 31, 2007.

MOTION carried.

MOTION by KRZEMINSKI seconded by MALBURG to reappoint Tony Popovski as a Member of the Zoning Board of Appeals for a two (2) year term effective January 1, 2005 to expire December 31, 2006.

MOTION carried.

MOTION by KOEHS seconded by NEVERS to reappoint Dawn Slosson as a Member of the Zoning Board of Appeals for a two (2) year term effective January 1, 2005 to expire December 31, 2006.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY, DECEMBER 8TH, 2004
AT 7:00 P.M.

MOTION carried.

MOTION by DUNN seconded by KRZEMINSKI to reappoint Victoria Selva as a Member of the Zoning Board of Appeals for a one (1) year term effective December 31, 2004 to expire December 31, 2005.

MOTION carried.

NOXIOUS WEED COMMISSIONER:

MOTION by KRZEMINSKI seconded by KOEHS to do away with this position and authorize Larry Dloski, Township Attorney, to draft language to amend the Township ordinance so that the responsibilities of this position will fall under the Township Code Enforcement position.

MOTION carried.

BUILDING AUTHORITY:

MOTION by KOEHS seconded by MALBURG to reappoint James R. Gelios, Deputy Clerk as a Member of the Building Authority Board for a three (3) year term effective December 8, 2004 to expire June 30, 2007.

MOTION carried.

MOTION by DUNN seconded by BUCCI to reappoint Salvatore DiCaro as a Member of the Building Authority Board for a one (1) year term effective December 8, 2004 to expire June 30, 2005.

MOTION carried.

MOTION by KOEHS seconded by MALBURG to reappoint Stacy VanReyendam as a Member of the Building Authority Board for a two (2) year term effective December 8, 2004 to expire June 30, 2006.

MOTION carried.

27. Clerk Comments:

Clerk KOEHS thanked the Board for reappointing him to the Planning Commission. Clerk KOEHS briefly reviewed changes that have occurred for the Township regarding running school elections.

28. Treasurer Comments: None

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY, DECEMBER 8TH, 2004
AT 7:00 P.M.

29. Trustees Comments: None

MOTION by KOEHS seconded by MALBURG to adjourn into Executive Session at 8:05 P.M.

MOTION carried.

EXECUTIVE SESSION:

30. Cavaliere at al v Macomb Township

MOTION by KOEHS seconded by KRZEMINSKI to authorize Larry Dloski, Township Attorney, to sign the consent judgment for the Cavaliere at al v Macomb Township case.

MOTION carried.

Addition:

31. Ratification of Paid on Call Township Fire Fighters

MOTION by KOEHS seconded by DUNN to approve the ratified documents pertaining to Paid-on-Call Fire Fighters MAFF Contract.

MOTION carried.

ADJOURNMENT:

MOTION by DUNN seconded by BUCCI to adjourn the meeting at 8:31 P.M.

MOTION carried.

Respectfully,

John D. Brennan, Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmb